IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 5TH OCTOBER 2007 / 13TH ASWINA 1929

WP(C).No. 29470 of 2007(G)

PETITIONERS:

1. THOMAS P.J., KALATHRA,
   VIZHAKKATHODU P.O., KANJIRAPPALLY.

2. T.V.PAUL, THUNDATHIL,
   VIZHAKKATHODU P.O., KANJIRAPPALLY.

BY ADV. SRI.P.SREEKUMAR
SRI.K.S.MANU (PUNUKKONNOOR)

RESPONDENTS:

1. KANJIRAPPALLY GRAMA PANCHAYATH,
   REPRESENTED BY ITS SECRETARY, KANJIRAPPALLY.

2. IDEA MOBILE COMMUNICATIONS LTD.,
   MERCY ESTATE, M.G.ROAD, REPRESENTED BY ITS
   AUTHORISED SIGNATORY.

BY ADV.SRI.SANTHOSH MATHEW, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

.....

W.P.(C)No.29470 OF 2007

.....

DATED THIS THE 5TH OCTOBER, 2007

J U D G M E N T

Mr.Santhosh Mathew, Standing Counsel entering appearance on behalf of the 2nd respondent submits that the construction of the tower is being opposed by the petitioners on the apprehension that radiation emanating from the tower will have adverse effects on public health in the locality. The issue, according to him, is covered by the judgment of this Court in **Reliance Infocom Ltd. v. Chemanchery Grama Panchayat** (2006 (4) KLT 695).

2. I do not propose to go into the merits of the matter. Ext.P1 representation has been submitted by the petitioners before the Panchayat. The Panchayat will take up Ext.P1 immediately, hear one of the petitioners and the 2nd respondent on the various grounds raised in the Writ Petition and take a correct decision. It is open to the 2nd respondent to bring to the notice of the Panchayat the judgment of this Court in **Reliance Infocom Ltd. v. Chemanchery Grama Panchayat** (supra). The Panchayat will take a decision at the earliest and at any rate within two weeks of receiving copy of this judgment and copy of this Writ Petition with all the exhibits.

The Writ Petition is disposed of as above.

tgl **(PIUS C.KURIAKOSE, JUDGE)**